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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/201,672	11/30/98	SHEYNBLAT	L 02344.P034X

PM82/0828
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EXAMINER

ISSING, G

ART UNIT	PAPER NUMBER
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3662

DATE MAILED: 08/28/00

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/201,672

Applicant(s)

SHEYNBLAT ET AL.

Examiner

Gregory C. Issing

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claims ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some * c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☐ received.
2. ☐ received in Application No. (Series Code / Serial Number) ____.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2-4.
- 18) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other:

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1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 1-3, 6-18, 21-31 and 33-35 are rejected under 35 U.S.C. 102(a) as being clearly anticipated by Tsukinokisawa.

Tsukinokisawa discloses the claimed method and apparatus for utilizing the Internet to supply a GPS user 10 with differential corrections wherein the user sends data indicative of position to a service center 35 via the Internet and the service center provides differential corrections in response thereto as collected from a plurality of GPS reference stations 20.

3. Claims 1, 2, 8-18, 22, 23-25 and 35 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Asahi et al.

Asahi et al disclose the claimed method and apparatus for utilizing the Internet to provide a GPS user with information regarding the location of the user wherein the user communicates GPS position data to a server which uses such positional data to obtain information from any one of a plurality of web sites and which provides such information to the user.

4. Claims 1-3, 6-18, 21-31, and 33-35 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by France et al.

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France et al disclose the claimed method and apparatus for utilizing the Internet to provide data to a GPS user, in particular, differential correction data, see Figure 6, for example.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4, 5, 19, 20 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsukinokisawa in view of Moore et al.

Tsukinokisawa teaches the subject matter substantially as claimed as previously set forth including the transmission of differential correction to a user from a web site but fails to show the transmission of satellite almanac and ephemerides information. Moore et al suggest the provision of ephemerides and almanac data as well as differential correction data via a server site on the world wide web. Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Tsukinokisawa by further providing satellite ephemeris and almanac data via the server site in view of the conventionality of such as taught by Moore et al.

7. Claims 3-7, 9, 18-21, 24 and 26-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asahi et al in view of Moore et al.

Asahi et al teach the subject matter substantially as claimed as previously set forth for providing location dependent information to a GPS user from a server site connected to the Internet but fails to show provision of GPS information regarding the satellite ephemerides, almanac data and differential correction. Moore et al teach the conventionality of using a server site on the internet

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to provide differential correction data, ephemeris data, as well as almanac data. Thus, it would have been obvious to one having ordinary skill in the art to modify Asahi et al by incorporating the teachings of Moore et al to provide differential correction data, ephemeris data, as well as almanac data and thereby provide the remote GPS user with information for generating more accurate positions as well as decreasing the time necessary for acquiring/re-acquiring satellites.

8. Claims 4, 5, 19, 20, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over France et al in view of Moore et al.

France et al teach the subject matter substantially as claimed as set forth above but fails to specify the provision of data, from the Internet, regarding satellite almanac and ephemerides. Moore et al teach that it is well-known that the Coast Guard provides a server site on the World Wide Web which disseminates GPS status summary messages, advisories to Navstar users and the current almanacs of the satellite constellation. In addition, general information and technical reports regarding precise ephemerides and information about the US Coast Guards national differential GPS network are provided. Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify France et al further incorporating the server to address a web site to provide satellite almanac and ephemerides information in view of the availability of such as provided by the US Coast Guard as suggested by Moore et al and thereby provide the user with information which may aid in rapid re-acquisition should the user lose tracking.

The information disclosure statements filed 11/16/99 and 7/24/00 have been considered. by the Examiner. The information disclosure statement of 7/6/99 has been considered in a

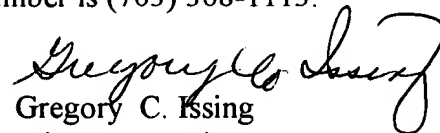
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cursory fashion due to the plethora of references, the pertinence of most of which are questionable.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory C. Issing whose telephone number is (703)-306-4156. The examiner can normally be reached on Mon-Thurs 6:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Tarcza can be reached on (703)-306-4171. The fax phone numbers for the organization where this application or proceeding is assigned are (703)-305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.


Gregory C. Issing
Primary Examiner
Art Unit 3662

gci
August 22, 2000